

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

John Sartin,) C/A No. 4:18-1668-JFA-TER	
)	
Plaintiff,)	
vs.)	ORDER
)	
Pickens County Jail,)	
)	
Defendant.)	

This is a civil action filed by a pretrial detainee. This case is before the Court due to Plaintiff's failure to comply with the magistrate judge's orders to bring this case into proper form. (ECF Nos. 5, 9). An order was filed on June 26, 2018, ordering Plaintiff to bring the case into proper form. (ECF No. 5). After no response to the first order, a second proper form order was filed on July 27, 2018. (ECF No. 9). Neither order returned as undeliverable.

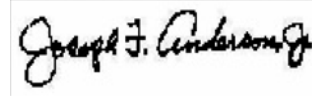
The mail in which the Orders were sent to Plaintiff's provided address has not been returned to the court, thus it is presumed that Plaintiff received the Order, but has neglected to comply with it within the time permitted under the Order. The Court has not received any response from Plaintiff and the time for compliance has passed. A review of the record indicates that the magistrate judge ordered Plaintiff to submit items needed to render this case into proper form and specifically informed Plaintiff that if he failed to do so, this case would be subject to dismissal.

Plaintiff's lack of response to the Orders indicates an intent to not prosecute this case, and subjects this case to dismissal. *See* Fed. R. Civ. P. 41(b)(district courts may dismiss an action if a Plaintiff fails to comply with an order of the court); *see also Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989)(dismissal with prejudice appropriate where warning given); *Chandler Leasing Corp. v.*

Lopez, 669 F.2d 919, 920 (4th Cir. 1982)(court may dismiss *sua sponte*).

Accordingly, this case is dismissed without prejudice. The Clerk of Court shall close the file.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr.", enclosed in a rectangular box.

JOSEPH F. ANDERSON, JR.
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
August 24, 2018

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.